

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MASSACHUSETTS  
CENTRAL DIVISION**

|                                             |
|---------------------------------------------|
| <b>In re:</b>                               |
| <b>Freitas, Gregory,</b>                    |
| <b><u>Debtor(s)</u></b>                     |
| <b>Gregory Freitas</b>                      |
| <b>v.</b>                                   |
| <b><u>Avant, Inc. D/B/A AvantCredit</u></b> |

**Case No. 17-41811-CJP  
Chapter 7**

**Adv. No.**

**COMPLAINT**

*Now comes* plaintiff Gregory Freitas, through counsel, to allege and complain of defendant, Avant, Inc. D/B/A AvantCredit, as follows:

**Parties and Jurisdiction**

1. This adversary proceeding is brought under 11 U.S.C. §§ 522(h) and 547(b).
2. Plaintiff Gregory Freitas ('Freitas') is a natural person residing in the District of Massachusetts.
3. Defendant Avant, Inc. D/B/A AvantCredit ('Avant') upon information and belief, is a Delaware corporation with a principal place of business in Illinois, doing business in the District of Massachusetts.
4. This Court has jurisdiction under 28 U.S.C. §§ 157 and 1334.
5. This is a core proceeding as defined under 28 U.S.C. § 157(b)(2)(F).
6. Venue of this case in this Court is proper under 28 U.S.C. § 1409(a).

**Facts**

7. The plaintiff repeats and re-alleges each fact and allegation stated in paragraphs one through six, *supra*, as if fully set forth herein.
8. Plaintiff filed a petition for relief under Chapter 7 of the Code on 10/06/2017.
9. Defendant was a creditor of plaintiff, based on money loaned prior to the filing of the debtor's Chapter 7 petition.

10. Within 90 days prior to the filing of the plaintiff's petition, plaintiff transferred a total of \$1,980 to defendant (the 'Transfer'), on account of plaintiff's antecedent debt to defendant.
11. Plaintiff was insolvent at the time of the Transfer and at all relevant times.
12. The Transfer enabled the defendant to receive more than it would have received in a Chapter 7 if the Transfer had not been made.
13. The Trustee has not attempted to avoid the Transfer.
14. The Transfer, if avoided, would be exemptable by the plaintiff.

**Count I - Preference**

15. The plaintiff repeats and re-alleges each fact and allegation stated in paragraphs one through thirteen, *supra*, as if fully set forth herein.
16. The Transfer was a preferential transfer, avoidable by the plaintiff/debtor under 11 U.S.C. §522(h) and 547(b) of the Code.

*Wherefore*, plaintiff hereby requests that this honorable Court enter judgment in favor of the plaintiff against the defendant in the amount of \$1,980, and take whatever further action is proper and just.

**Dated: March 27, 2018**

Respectfully submitted,  
Gregory Freitas,  
By his attorney,  
/s/ William C. Parks  
William C. Parks (BBO# 679820)  
100 State St, Suite 900, Boston, MA 02109  
Phone: (617) 523-0712; Email: [will@wparkslaw.com](mailto:will@wparkslaw.com)